

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

BARBARA M. GRENIER,

Plaintiff,

v.

ORDER

Civil File No. 05-267 (MJD/RLE)

SOCIAL SECURITY ACT,

Defendant.

Barbara M. Grenier, pro se.

Lonnie F. Bryan, Assistant United States Attorney, Counsel for Defendant.

On October 17, 2005, this Court adopted the Chief Magistrate Judge's Report and Recommendation dated July 14, 2005 and dismissed Plaintiff Barbara Grenier's Complaint without prejudice. The Court interpreted Grenier's filings to request a voluntary dismissal of this case. Since that date, Grenier has filed two more submissions with the Court, stating that she does not want her case to be voluntarily dismissed, but requesting that the Court "let [her] case remain Null and Void." [Docket Nos. 24-25]

"The effect of a voluntary dismissal without prejudice pursuant to Rule 41(a) 'is to render the proceedings a nullity and leave the parties as if the action

had never been brought.” Williams v. Clarke, 82 F.3d 270, 273 (8th Cir. 1996) (quoting Smith v. Dowden, 47 F.3d 940, 943 (8th Cir. 1995)). By interpreting Grenier’s submissions as a request for a voluntary dismissal and dismissing her case without prejudice, **the Court has granted her request that her case be made “null and void.” Grenier’s case is now null.**

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

The Court’s Order of October 17, 2005, [Docket No. 23] dismissing this case without prejudice remains in effect.

Dated: November 10, 2005

s/ Michael J. Davis
Judge Michael J. Davis
United States District Court